

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERTA WATTERSON,
Plaintiff,
v.
GARFIELD BEACH CVS LLC,
Defendant.

Case No. 14-cv-01721-HSG

**ORDER DENYING STIPULATION TO
EXTEND BRIEFING SCHEDULE**

Re: Dkt. No. 35

This Court originally set a deadline of January 30, 2015 for Defendant Garfield Beach CVS to file an “early” motion for summary judgment. Dkt. No. 16. On January 9, 2015, the parties requested an extension of that deadline to April 13, 2015, which the Court granted. Dkt. No. 19. Defendant and Plaintiff Roberta Watterson filed separate case management statements on March 2 and 3, respectively. Dkt. Nos. 23, 24. In its case management statement, Defendant represented that it “intends to file its early motion for summary judgment by April 13, 2015.” Dkt. No. 23 at 2.

At the case management conference held on March 17, 2015, Plaintiff requested that the Court extend the early motion for summary judgment briefing again to allow Plaintiff adequate time to conduct discovery and take a 30(b)(6) deposition of Defendant. *See* Dkt. No. 24. After warning the parties that further extensions would not be considered without good cause, the Court extended the filing deadline to May 11, 2015.

With their stipulation filed on May 4, 2015, the parties now seek a third extension to the filing deadline for Defendant’s early motion for summary judgment. Dkt. No. 35. The parties justify their request by pointing to pending discovery disputes, a still-unscheduled 30(b)(6) deposition of Defendant, and outstanding discovery responses. *Id.*


The Court finds that the parties’ have failed to show good cause for their request to extend

1 the briefing schedule again. Defendant stated in early March that it was able to comply with the
2 April 13, 2015 filing deadline; it is thus entirely unclear why the pending discovery disputes
3 would now preclude Defendant from complying with the May 11, 2015 filing deadline.
4 Furthermore, the parties' inability to schedule a 30(b)(6) deposition more than four months after
5 the original deadline to file the motion is very hard to understand. Likewise, any discovery
6 necessary to support or oppose the motion should have been requested long ago, well in advance
7 of the filing deadline.

8 Accordingly, the stipulation is DENIED. The parties shall comply with the briefing
9 schedule previously set by the Court. If the parties claim to have a good faith justification for
10 seeking another extension to the filing deadline, they must file a joint statement explaining that
11 justification in detail.

12 **IT IS SO ORDERED.**

13 Dated: 5/6/2015

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15 HAYWOOD S. GILLIAM, JR.
16 United States District Judge
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